

CHAPTER 289

CORRECTIONS

SENATE BILL 19-259

BY SENATOR(S) Garcia and Hisey, Cooke, Court, Crowder, Gardner, Gonzales, Moreno, Pettersen, Rankin, Tate;
also REPRESENTATIVE(S) Herod and Wilson, Bockenfeld, Buentello, Esgar, Galindo, Gray, Hansen, Hooton, Kraft-Tharp,
Valdez D., Benavidez, Bird, Buckner, Kennedy.

AN ACT

CONCERNING MEASURES TO ADDRESS PRISON POPULATION MANAGEMENT ISSUES, AND, IN CONNECTION THEREWITH, AUTHORIZING THE EMERGENCY USE OF THE CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL FACILITY TO HOUSE INMATES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 17-1-104.3, **add** (1)(b.7) as follows:

17-1-104.3. Correctional facilities - locations - security level - report - repeal.

(1) (b.7) (I) ~~NOTWITHSTANDING SUBSECTION (1)(b.5) OF THIS SECTION, THE CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL FACILITY MAY BE USED TO HOUSE INMATES ON A LIMITED BASIS WHEN THE STATE MALE PRISON VACANT BED RATE, EXCLUDING RTP TREATMENT BEDS, REMAINS BELOW ONE PERCENT VACANCY FOR TWO CONSECUTIVE MONTHS AND THE DEPARTMENT HAS EXHAUSTED ALL OPTIONS PURSUANT TO SECTION 17-1-119.7. THE DEPARTMENT SHALL NOT HOUSE MORE THAN ONE HUNDRED TWENTY-SIX INMATES AT ONE TIME IN THE CENTENNIAL SOUTH CAMPUS. ONCE THE STATE MALE PRISON VACANT BED RATE SURPASSES ONE PERCENT VACANCY, INCLUDING CALCULATING THE INMATES HOUSED IN THE CENTENNIAL SOUTH CAMPUS, THE DEPARTMENT SHALL TRANSFER INMATES HOUSED IN THE CENTENNIAL SOUTH CAMPUS TO AN APPROPRIATE FACILITY UNDER THE DEPARTMENT'S CONTROL WITHIN THIRTY CALENDAR DAYS.~~

(II) THE DEPARTMENT SHALL REPORT THE USE OF THE CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL FACILITY TO THE JOINT BUDGET COMMITTEE AND THE JUDICIARY COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, WITHIN FIVE CALENDAR DAYS AFTER THE USE OF THE CENTENNIAL SOUTH CAMPUS. FOR EACH MONTH THAT THE CENTENNIAL SOUTH CAMPUS OF THE CENTENNIAL CORRECTIONAL FACILITY IS USED,

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

THE DEPARTMENT SHALL REPORT ON THE FIRST DAY OF EVERY MONTH THE CONTINUED NATURE OF THE USE OF THE CENTENNIAL SOUTH CAMPUS AT THE CENTENNIAL CORRECTIONAL FACILITY, THE STEPS TAKEN BY THE DEPARTMENT TO ADDRESS THE VACANCY ISSUE, AND THE EXPECTED TIME FRAME FOR THE VACANCY ISSUE TO END.

(III) THE DEPARTMENT SHALL CONSIDER INPUT FROM ANY LEGISLATIVE INTERIM COMMITTEE THAT MEETS DURING THE 2019 INTERIM REGARDING PRISON POPULATION MANAGEMENT, SPECIFICALLY INCLUDING:

(A) STRATEGIES TO SAFELY REDUCE THE PRISON POPULATION AND REDUCE RECIDIVISM; AND

(B) PRISON USE ANALYSIS INCLUDING THE CENTENNIAL SOUTH CAMPUS AT THE CENTENNIAL CORRECTIONAL FACILITY, PRIVATE PRISONS, AND ALTERNATIVE BED PROGRAMS.

(IV) THIS SUBSECTION (1)(b.7) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2020.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 28, 2019